



# Staff Report PC16-006-ZA

## GreenParke- Rezoning Amendment

### Docket PC16-006-ZA- Zoning Amendment-

**GreenParke.** The petitioner is requesting approval for a Zoning Amendment to GB- General Business and I-1- Light Industrial. The subject property contains 23.1 acres and is located 600 feet north of the southern property line along Whitestown Parkway of the GreenParke Subdivision. The northernmost 300' will be rezoned I-1 Light Industrial; the remainder 300' fronting Whitestown Parkway will be rezoned GB General Business. The petitioner is Innovative Engineering & Consulting, and the property owner is I65 Gateway 1, LLC.

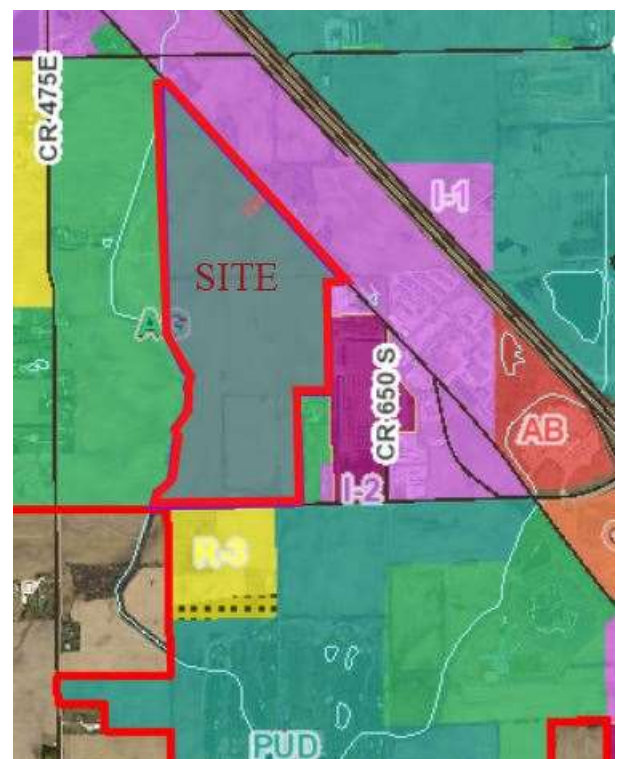
### History

The property owner, I65 Gateway 1, LLC owns 169.2 acres. This area was rezoned from AG to I-1 through the Boone County Area Plan Commission Ordinance # 2007-10 in October of 2007. Zoning commitments include specific areas subject to these commitments- These commitments are listed out in "Exhibit A" of the document and listed below:



1) Except for those area subject to Commitment 3, there shall be a minimum landscaped buffer of at least 60 feet, measured off of, and provided along the entire west property line of the subject property. The buffer yard shall feature an undulating berm of 6-8 feet in height and shall be landscaped in accordance with buffer yard standard No. H-4 as established by the Boone County Zoning Ordinance. All landscaping shall be maintained in a thriving condition, reasonably weed-free and with lawn areas regularly moved.

2) The segment of the Etter Legal Drain which currently runs in a general north/south direction along and near the west boundary line of the subject property on the portion known as the "Harmon" property, shall not be relocated. Further, in conjunction with development of the subject property, the Owner shall use its reasonable best efforts to preserve the existing tree lines on both sides of the Etter Legal Drain within 60 feet of the top of the banks of the Legal Drain; however, the Owner shall be permitted to



remove dead or diseased trees, invasive species, and those trees necessary to facilitate storm water drainage and utilities.

3) Should owner fail to purchase what is commonly known as the “Walls” property, located adjacent to the northeast portion of the subject property, or otherwise fail to reach a private accommodation regarding landscaping or buffering between the subject property and the Walls Property, Owner shall provide the required landscaping/buffering required for transitional yards between the I-1 zoning district and the AG zoning district, as set forth in the Boone County Zoning Ordinance, so long as the Walls property is being used for residential purposes.

## **Zoning and Context**

The map to the right shows the highlighted lot with existing zoning and surrounding zoning.

- North: The property to the north is zoned I-1 and utilized as agricultural use.
- East: The property to the east is zoned AG with a commercial use.
- South: The property to the south is zoned R-3/PUD and utilized as agricultural use.
- West: The property to the west is zoned AG and utilized as agricultural use.

## **Comprehensive Plan**

### ***Land Use Plan***

The 2015 Comprehensive Plan identifies this area as Technology Mixed Use. This property is also located in Special Development Area #8 and is defined as:

- This district is intended for a mix of office, research and technology uses to support an innovative corporate campus or technology park. The area supports medium to large offices, corporate office complexes, and small light industrial uses (distribution, manufacturing and whole sale) that are completely enclosed in a building.

### ***Goals and Objectives***

The relevant Implementation steps contained in the Goals and Objectives of the Comprehensive Plan that apply to this site are as follows:

- Goal: Land Use
  - ☐ 4.2: For long term community sustainability, it is essential that Whitestown maintain the proper balance of commercial, industrial and residential uses.
  - ☐ 4.4: To grow and retain the desired local labor force, the community needs to develop with amenities that serve both an urban and suburban lifestyle.
  - ☐ 4.6: Future development should be encourages to provide a superior and creative product design and mix of uses.
  - ☐ 4.7: The community needs to grow and develop, but such activities needs to be sensitive to how they relate to existing uses and agricultural areas.
  - ☐ 4.9: Future land use and density decision need to be coordinated with the needs and availability of transportation, utilities and other infrastructure facilities.
- Goal: Transportation & Circulation

- ☐ 5.3: Continue to implement a network of community-wide paths and trail system.
- ☐ 5.6: Ensure accessibility and efficiency for emergency/first responder services.
- ☐ 5.7: Control access, entrances and curb cuts of major arterials or near intersections per the Whitestown Transportation Plan.
- Goal: Municipal Services
  - ☐ 6.3: During development and redevelopment, sufficient land areas should be retained for future needs of parks, greenways, right of way, utilities, fire and police station and other public purposes and services.
- Goal: Economic Development
  - ☐ 8.2: Industrial/Commercial growth is to be pursued if it supports the value, character and quality of place desired by the community.
  - ☐ 8.3: The Town's business expansion policy should be focused on industries that will feed the needs of existing employers and institutions in the community, creating a business climate that will stimulate further investment and regional interest in Whitestown.
  - ☐ 8.5: Maintain and pursue diversity of commercial and industrial businesses.

## ***Transportation Plan***

- **Road Classifications and Intersections:**
  - Indianapolis Road, Minor Arterial (access management, moderate speeds)
  - Whitestown Parkway, Major Arterial (limited access, signaled intersections, high speed)
- **Transportation Policy Statements:** The relevant implementation steps contained in the Goals and Objectives of the Transportation Plan to that apply to this site are as follows:
  - Goal: Foster Convenient Circulation
    - ☐ IM 1.1: Ensure that adequate right-of-way is preserved for future road extensions, widening and drainage.
    - ☐ IM 1.3: Ensure accessibility and efficiency for emergency services
    - ☐ IM 2.3: Require pedestrian networks (sidewalks and trails) within all single-family, multiple-family, commercial and industrial developments.
    - ☐ IM 3.1: Restrict all access onto major arterials, significantly restrict access onto minor arterials and limit non-essential access onto major collectors.

## **Zoning Ordinance**

### ***Existing Zoning***

AG- General Agricultural: This district is intended to maintain the rural and scenic qualities of the existing rural areas by preserving farm land and significant open lands while allowing landowners a reasonable return on their holdings. This district is designated to (a) minimize the loss of farm lands and significant open lands to residential uses through the establishment of contiguous parcels of non-residential acres, and (b) maximize the clustering of rural residential lots on the least number of acres located on existing farmlands and significant open lands.

Development Standards for AG (non-residential)	
Minimum road frontage:	45'
Minimum open space:	15%
Maximum building height:	25'

Permitted uses include:

- Church or Temple
- Civic, Social, or Religious Organizations
- Farm
- Hay, Grain, & Feed Stores
- Municipal or Government Buildings
- Plant Nursery
- Seasonal Hunting & Fishing Lodging
- Libraries & Information Centers
- Customary Home Occupation (Accessory Uses)

### *Proposed Zoning*

**GB General Business:** This district is designed to include central business districts in established urban places. This district would be used for most types of business and service uses. Development in this district requires connection to public water and public sewers and Development Plan approval.

**I-1 Light Industry:** This district is established to accommodate light industrial uses in which all operations including storage of materials would be confined within a building, and would include warehousing operations. Development in this district requires connection to public water and public sewers and Development Plan approval.

Development Standards for GB (non-residential)	
Minimum lot area:	45'
Minimum open space:	15%
Maximum building height:	75'

Some permitted uses include:

- Accounting, Auditing, & Bookkeeping Service
- Advertising Agencies
- Antique Store
- Apparel Shop, Shoes, Custom Tailoring
- Art & Music Schools
- Attorney Services
- Barber Shop, Beauty Shop
- Bed & Breakfast
- Bicycle Shop
- Blood Banks
- Business Associations
- Cafeteria, Restaurant
- Camera & Photographic Supply
- Candy, Nut & Confectionary
- Carry Out Restaurant
- Charitable Institutions
- Civic, Social, or Religious Organizations
- Clothing Rental;
- Coin Operated Laundry & Dry Cleaning
- Collection Agencies
- Commercial Testing Laboratories
- Department Store
- Drug Store
- Indoor Recreation Facility
- Hardware or Variety Store
- Jewelry Store
- Paint, Glass & Wallpaper Store
- Pet Shops
- Plant Nursery
- Professional Office
- Studio Business

Development Standards for I-1	
Minimum lot area:	45'
Minimum open space:	15%
Maximum building height:	75'

Some permitted uses include:

- Accounting, Auditing & Bookkeeping Service
- Animal Day Care Facility
- Automobile Parts Supply
- Blueprinting & Photocopying
- Commercial Testing Laboratories
- Civic, Social, or Religious Organizations
- Department Store
- Farm & Garden Supply
- Food Processing
- Indoor Recreation Facility
- Light Industry
- Newspaper Publishing
- Monument Sales
- Professional Office
- Real Estate Service
- Trade of Business School
- Wholesale Business
- Paint Glass & Wallpaper Store

## Proposed Development

The project site is located on the north side of Whitestown Parkway. The rezone petition is the southernmost 23.1 acres (or 600') of the 169.2 acres of GreenParke. The southernmost 300 feet along Whitestown Parkway is to be rezoned to General Business. This re-zoning would allow for general business growth, in this area in accordance with the Whitestown Comprehensive Plan. The northern 300 feet of the 600 is planned to be re-zoned to I-1. This zoning would also be in accordance with the Whitestown Comprehensive Plan. This would allow the land owner to include this land with the adjacent parcel (the remainder of GreenParke) providing a larger site all zoned I-1.

## Staff Comments

1. The rezoning process is a legislative act. The Plan Commission will make a recommendation to the Town Council who then has the final say. Because this is a legislative act, the Plan Commission can require that certain commitments be made part of the rezoning and then run with the land.
2. Before being developed, the project will require Subdivision approval and/or Development Plan approval by the Plan Commission.
3. The Plan Commission should maintain and enforce the Zoning Ordinance, Subdivision Control Ordinance, and related ordinances in order to achieve the goals of the Comprehensive Plan.
4. To preserve the context of the area the following uses should be prohibited as part of this rezoning:



## I-1 Rezone

- Automobile or Motorcycle Sales, Automobile Repair, Service Station, Bowling Alleys, Fuel Dealers, Lodge or Private Club, Mobile Home, Travel Trailer, Camper Sales & Service, Life Care Facility, Nursing Home, Parking Garage, Public Golf Course, Skating, Temporary Mobile Home, Tire, Battery & Accessory Dealers, Truck Sales, Rental, Leasing, Repair.

## GB Rezone

- Animal Day Care Facility, Automobile or Motorcycle Sales, Automobile Parts Supply, Automobile Repair, Service Station, Boat Sales, Disinfecting & Exterminating Services, Dwelling- Single Family, Dwelling- Two Family, Fuel Dealers, Mobile Home, Travel Trailer, Camper Sales & Service, Mortuary, Night Club, Temporary Mobile home, Truck Sales, Rental, Leasing Repair.

5. The Plan Commission should ensure that the goals of the Comprehensive Plan and the Transportation Plan are met. Commitments such as the following should be contemplated:
  - a. Provide adequate ingress/egress onto Whitestown Parkway and Indianapolis Road.

## Decision Guidelines

Per the Zoning Ordinance, *Section XII.B.C* the WPC and the Town Council shall pay reasonable regard to the following five decision criteria when taking action on all rezoning requests:

- the Comprehensive Plan;
- the current conditions and the character of current structures and uses in each district;
- the most desirable use for which the land in each district is adapted;
- the conservation of property values throughout the Jurisdictional Area; and
- Responsible development and growth.

## Staff Recommendation

Staff Recommends that the Plan Commission give a favorable recommendation with commitments to rezone the property from Agricultural to I-1 Light Industry and GB General Business along Whitestown Parkway in accordance with the Whitestown Comprehensive Plan, Transportation Plan and UDO. The following commitments shall be met:

1) Adequate landscape buffer A, alternative 4 shall be installed at the time of Development Plan Approval to preserve the AG zoning that surrounds the East and West boundaries of this rezoned property.

\*If the Plan Commission gives an unfavorable recommendation (or no recommendation) to rezone the property from AG to I-1/GB, the above conditions could still be included in the recommendation to the Town Council for their final decision.